

REMARKS

Careful consideration has been given by the applicants to the Examiner's comments and rejection of the claims as set forth in the outstanding Office Action and favorable reconsideration and allowance of the application, as amended, is earnestly solicited.

Applicants note the rejection of the claims on the basis of new grounds, having reference to previously cited Darbee, et al. and Huang, et al. as detailed in the Office Action.

Pertaining to the claim rejection under 35 U.S.C. §112, wherein the Examiner rejects claims 8 and 12 as being indefinite, applicants apologize for the typographical error in claim 8, and the latter has been amended in order to obviate that particular objectionable terminology.

However, with regard to claim 12, applicants fail to note the particular formal grounds of rejection, inasmuch as the language therein does not appear to be objectionable and is clear in its content.

Applicants further note the rejection of claims 1-5 and 7-12 under 35 U.S.C. §103(a) as being unpatentable over Darbee, et al., as extensively detailed in the Office Action. Furthermore, Applicants note the rejection of Claim 6 as being unpatentable over Darbee, et al., further in view of Huang, et al., as also detailed in the Office Action.

However, upon careful consideration of the art, applications respectfully submit that neither Darbee, et al., nor Huang, et al., whether considered singly or in combination, render the invention obvious to one skilled in this particular technology.

In essence, as clearly set forth in the alternative embodiments, as represented by either Claims 1 or 8, directed to either Figures 1 or 6, which in one instance, the unit 10

comprising the program display and selection apparatus in comparison with the remote control 92 and with the program selection being incorporated in a screen display element 70, cannot in any manner be ascertained from the prior art and represents a novel and extremely inventive method of transmitting in a digital broadcast receiving system, the electronic program guide (EPG) data, which is contained in the received digital broadcast data.

The foregoing cannot in any manner be ascertained from the prior art, neither of which publications are adapted to provide either structure or fully function analogous to the invention as claimed herein.

Concerning Darbee, et al. U.S. 6,130,726, this merely pertains to a remote controller. It does not in any manner employ an electronic program guide. To the contrary, the present invention is directed to receive EPG data from a receiver unit and then to utilize the latter in order to enable the display of the selected programs. This has nothing in common with the fundamental concept of Darbee, et al., which merely is a currently employed standard remote control display.

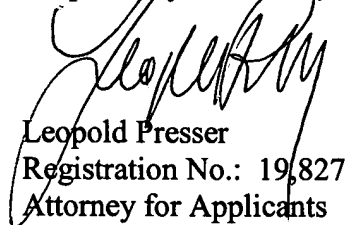
Accordingly, applicants respectfully submit that claims 1 and 8, and the claims which are dependent therefrom, which each are directed for the transmission and receipt of electronic program guide data in a digital broadcast receiving system, patentably distinguish over the Darbee, et al. patent.

With regard to Huang, et al. U.S. 6,437,836, which has only been cited with regard to Claim 6, although this publication is adapted to select a TV program out of a program table employing a Palm device, the acquisition procedure is different from receiving EPG from a receiver unit. To the contrary, the unique aspect of the present invention is to obtain the EPG data through initially the digital broadcast receiver. The EPG data is then

processed in the program display and selecting apparatus, whereby this is fundamentally distinct and inventive in comparison with the Huang, et al. patent, irrespective as to whether this is considered singly or in combination with Darbee, et al.

In summation, applicants respectfully submit that the claims, as amended, clearly and unambiguously distinguish in a patentable manner over the art, the latter of which is clearly remote from the inventive concepts, and the early and favorable reconsideration of the application and issuance of the Notice of Allowance by the Examiner is earnestly solicited. However, in the event that the Examiner has any queries concerning the instantly submitted amendment, applicants' attorney respectfully requests that he be accorded the courtesy of possibly a telephone conference to discuss any matters in need of attention.

Respectfully submitted,



Leopold Presser
Registration No.: 19,827
Attorney for Applicants

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530

LP:jy